

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

JOSEPH JACKSON,) 18 CV 3007 (JS) (GRB)
Plaintiff,)
v.) NOTICE OF MOTION FOR
NASSAU COUNTY; THE INCORPORATED) SANCTIONS AND OTHER
VILLAGE OF FREEPORT; DETECTIVE ROBERT) RELIEF AGAINST NASSAU
DEMPSEY; DETECTIVE GARY) COUNTY AND GARY
ABBONDANDELO; DETECTIVE JOHN M.) ABBONDANDELO
HOLLAND; DETECTIVE MICHAEL HERTS;)
DETECTIVE MARTIN ALGER; DETECTIVE)
ANTHONY SORRENTINO; DETECTIVE)
DAVID L. ZIMMER; POLICE OFFICER)
MELENDEZ; LIEUTENANT BURDETTE;)
SERGEANT MCHALE; SERGEANT NOLL;)
DETECTIVE SHARKEY; POLICE OFFICER)
DOWDELL; POLICE OFFICER BARRY)
MCGOVERN; DETECTIVE TURNER;)
DETECTIVE EDWARD HAGGERTY; POLICE)
OFFICER HALL; DETECTIVE LAURETTE)
KEMP; DETECTIVE WILLIAM TWEEDY;)
DETECTIVE ANTHONY KOSIER; DETECTIVE)
SERGEANT DAN SEVERIN; DETECTIVE JERL)
MULLEN; THE ESTATE OF DETECTIVE JERL)
MULLEN; JOHN DOE, AS THE)
ADMINISTRATOR OF THE ESTATE OF JERL)
MULLEN; and JOHN and JANE DOE 1 through 20,)
Defendants.)

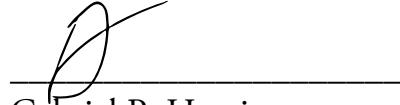
PLEASE TAKE NOTICE that upon the declaration of Gabriel P. Harvis, attorney for plaintiff Joseph Jackson, and exhibits annexed thereto; and the Memorandum of Law, and upon all the prior pleadings and proceedings herein,

plaintiff, by and through his attorneys, hereby moves this Honorable Court, the United States District Court for the Eastern District of New York, for an order (1) finding that defendants Abbondandelo and Nassau County engaged in spoliation by failing to preserve and/or destroying evidence; (2) granting a default judgment or, in the alternative, a preclusive order and mandatory adverse inference against these defendants; (3) granting plaintiff reasonable attorneys' fees and costs associated with defendants' conduct in this regard; and (4) such other relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(a), opposition papers are due within seven days.

Dated: New York, New York
 September 6, 2019

ELEFTERAKIS, ELEFTERAKIS & PANEK



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To: All Counsel